

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. CROIX**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
Plaintiff,	)	
	)	
v.	)	CRIMINAL NO. 1999-0056
	)	
<b>EDUARDO MARRERO,</b>	)	
	)	
Defendant.	)	
	)	

**ORDER**

This matter comes before the Court on the Government's Motion to Reconsider the Court's Order Granting Defendant's Motion to Suppress. The Government requests that this Court reconsider its ruling in light of U.S. v. Williams, 3 F.3d 69 (3<sup>rd</sup> Cir. 1993). After consideration of the matter, the Court finds that Williams is factually and legally distinct from the instant case. In Williams, the Third Circuit emphasized the reliability of the informant in its decision to reverse the District Court's finding that probable cause for the search warrant did not exist. In the instant case, the affidavit does not demonstrate the reliability of the anonymous informant.

The Government next argues that even if the Court finds that the search warrant affidavit did not provide probable cause to believe that drug-related evidence would be found, the evidence still should be admissible because the agents relied on the search warrant in good faith. See U.S.

v. Leon, 468 U.S. 897 (1984). In Leon, the Court stated that the “Fourth Amendment exclusionary rule should not apply where evidence is seized in reasonable, good-faith reliance on a search warrant.” Id. at 904. However, the Supreme Court also held that an officer would not “manifest objective good faith in relying on a warrant based on an affidavit so lacking in indicia of probable cause as to render official belief in its existence entirely unreasonable.” Id. at 899. Applying the principles of Leon to the instant case, the Court finds that suppression is appropriate because the warrant was based on an affidavit so lacking in indicia of probable cause that the officers’ reliance on the warrant’s authority was not objectively reasonable.

Accordingly, it is hereby

**ORDERED** that the Government’s motion for reconsideration is **DENIED**.

**ENTER:**

**DATED:** December \_\_, 1999

\_\_\_\_\_  
RAYMOND L. FINCH  
U.S. DISTRICT JUDGE

**A T T E S T:**  
Orinn F. Arnold  
Clerk of Court

**by:** \_\_\_\_\_  
Deputy Clerk

